**THE HON'BLE SRI JUSTICE GODA RAGHURAM**

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**WRIT PETITION NO : 1518 of 2006**

**DATED: 26.04.2006**

**BETWEEN:**

Vanteru Vijaya and others

.. Petitioners

And

The Superintendent of Police, Nellore and others

..Respondents

**THE HON'BLE SRI JUSTICE GODA RAGHURAM**

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**WRIT PETITION NO :1518 of 2006**

**ORDER:**

This is a case of competitive encroachment of Government lands in Survey No.121/1, 123/1, 123/2, 124/1 and 124/2 in an extent of Ac.10.00 in Vellapalem Revenue Village, Chilukur Mandal, Nellore District. The 4th respondent by an order dated 03.01.2006 apprehending breach of law and order had promulgated in exercise of powers under Section 145 Cr.P.C. prohibiting the entries of encroached lands between Vellapalem village and Ballavolu from 3.1.2006 onwards. The second respondent was directed to ensure that no one enters the land until further orders. Despite the prohibitory order dated 3.1.2006 issued by the 4th respondent, the petitioner complains that the 5th respondent has raised crop and harvested the crop in the land in which a prohibitory order was enforced. This is the substance of this writ petition.

In the aforesaid circumstances, after hearing the learned counsel for the petitioner and the learned counsel for the 5th respondent and there being no response on behalf of the official respondents, the writ petition is disposed of directing the first respondent to forthwith ensure the implementation of the prohibitory order passed by the 4th respondent, exercising powers under Section 145 of the Cr.P.C. as evident from the 4th respondent's order dated 03.01.2006 and ensure that neither the petitioner, nor the 5th respondent nor any other person enters the lands in survey Nos. 121/1, 123/1. 123/2, 124/2, 124/1 in an extent of Ac.10.0 of Vellapalem Village nor harvest or cause away the property in the said lands. The crop if not harvested shall be harvested and if harvested may be sold under the supervision of the third respondent and the amount deposited with the third respondent to be disposed of in accordance with law at a later point of time.

With the above, the writ petition is disposed of. No costs.

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26-04-2006

Note: issue CC as soon as possible

B/o kvrm